

SENATE RESOLUTION No. 50

STATE OF NEW JERSEY

215th LEGISLATURE

INTRODUCED FEBRUARY 16, 2012

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator BARBARA BUONO

District 18 (Middlesex)

Co-Sponsored by:

Senators Codey and Beach

SYNOPSIS

Urges Congress to pass "Paycheck Fairness Act."

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/22/2012)

1 **A SENATE RESOLUTION** urging Congress to pass the "Paycheck
2 Fairness Act."
3
4 **WHEREAS**, More than 40 years ago, President John F. Kennedy signed
5 the "Equal Pay Act" (EPA) into law, making it illegal for employers
6 to pay unequal wages to men and women who perform substantially
7 equal work; the following year, Title VII of the Civil Rights Act of
8 1964 was enacted, making it illegal to discriminate, including in
9 wages and pay, on the basis of sex, race, color, religion, and
10 national origin; at the time of the EPA's passage in 1963, women
11 earned merely 59 cents to every dollar earned by men; and
12 **WHEREAS**, Although enforcement of the EPA as well as other civil
13 rights laws have helped to narrow the gender income gap,
14 significant male-female income differences remain today, which is
15 of particular concern in light of the present day economy; and
16 **WHEREAS**, The general population has suffered because of the
17 economic downturn, women have had a greater loss of jobs and a
18 greater loss in wages than men during this time; and
19 **WHEREAS**, The gender income gap refers to the ratio of female to male
20 median yearly earnings among full-time, year-round workers; in
21 2009, United States Census Bureau data showed that women made
22 77 cents on every dollar earned by men, meaning female full-time,
23 year-round workers earned 23% less than their male counterparts;
24 and
25 **WHEREAS**, Minority women fare significantly worse with respect to
26 the gender income gap; the median earnings for African American
27 and Hispanic women working full-time, year-round is far less
28 compared to their white, non-Hispanic male counterparts; and
29 **WHEREAS**, The gender income gap also exists across a wide spectrum
30 of occupations and education levels; in 2009, the largest income
31 gap between men and women was found in high paying
32 occupations, such as health care professionals and those relating to
33 financial activities, while in other occupations, such as in the
34 construction industry and occupations relating to computer science
35 and mathematics, the gap was narrower; although graduation from
36 high school helps to boost a woman's median income, the median
37 income for a man with a high school diploma is markedly higher
38 than those of women who also graduate with a high school degree;
39 studies have also shown that women who graduate from college
40 with a bachelor's degree earn far less than their male colleagues just
41 one year out of college, and the pay gap widens 10 years after
42 graduation; and
43 **WHEREAS**, Pay inequity also follows women into retirement,
44 jeopardizing their economic security once they leave the workforce;
45 of the multiple sources of income Americans rely on later in life,
46 many are directly linked to a person's career-long earnings,
47 including Social Security and pension benefits; for example, in
48 2009, an older woman's Social Security benefits were 71% of an

1 older man's, and income from public and private pensions based on
2 a woman's work history was 60% and 48% of a man's pension
3 income, respectively; and

4 **WHEREAS**, Studies have shown that even when all relevant career and
5 family attributes are taken into account, there is still an unexplained
6 gap in men's and women's earnings which can be attributed to
7 gender discrimination; and

8 **WHEREAS**, Women in New Jersey are increasingly responsible for the
9 economic security of their families, with nearly 60% of working
10 mothers bringing in more than a quarter of their families' income;
11 21% of women-headed households in the State live below the
12 federal poverty level; on average, a woman working full time, year-
13 round in the State is paid \$44,166, while her male counterpart earns
14 \$57,738; this means that at 76%, New Jersey has a female to male
15 earnings ratio lower than the national ratio of 77%; and

16 **WHEREAS**, As a group, full-time working women in New Jersey lose
17 approximately \$15,781,630,040 each year due to the gender income
18 gap; if the gap were eliminated, women in this State and their
19 families would have more money for groceries, mortgage, rent, and
20 utilities payments, and family health insurance premiums; the extra
21 wages would provide critical income for over 88,000 families living
22 in poverty; and

23 **WHEREAS**, In order to expand the scope of the EPA and address the
24 gender income gap in the United States, the "Paycheck Fairness
25 Act" was originally introduced in Congress in 2008 and would
26 make it easier for those who are targets of wage discrimination to
27 address the issue, allowing employees to disclose salary
28 information with co-workers despite workplace rules prohibiting
29 such disclosure; and

30 **WHEREAS**, This legislation also would require employers to prove that
31 any wage discrepancies are based on legitimate, job-related
32 requirements, and specific characteristics of the position not related
33 to gender, prohibit employers from retaliating against employees
34 who raise work parity issues, create a negotiation skills training
35 program for women and girls, provide assistance to small
36 businesses to help with equal pay practices, and enhance the United
37 States Department of Labor's and the Equal Employment
38 Opportunity Commission's abilities to investigate and enforce pay
39 discrimination laws; and

40 **WHEREAS**, In 2009, although the House of Representatives passed the
41 "Paycheck Fairness Act," the Senate failed to do so and the bill was
42 reintroduced in both houses of Congress in April of 2011; in the
43 2012 State of the Union Address, President Obama encouraged the
44 Senate to pass the "Paycheck Fairness Act" to help "ensure that
45 men and women who do equal work receive the equal pay that they
46 and their families deserve"; and

47 **WHEREAS**, In order to combat the persistent income gap that is
48 attributable to systemic gender discrimination, provide women with

1 more tools to achieve pay equity in the workplace, and assist the
2 two-thirds of American families who rely on a woman's wages as a
3 significant portion of their incomes achieve economic security,
4 Congress is urged to pass the "Paycheck Fairness Act"; now,
5 therefore,

6
7 **BE IT RESOLVED** *by the Senate of the State of New Jersey:*

8
9 1. The Senate urges the United States Congress to pass the
10 "Paycheck Fairness Act" in order to combat the persistent income
11 gap that is attributable to systemic gender discrimination, provide
12 women with more tools to achieve pay equity in the workplace, and
13 assist the two-thirds of American families who rely on a woman's
14 wages as a significant portion of their income achieve economic
15 security.

16
17 2. Duly authenticated copies of this resolution, signed by the
18 President of the Senate and attested by the Secretary of the Senate,
19 shall be transmitted to the President of the United States, the White
20 House Council on Women and Girls, the United States Department
21 of Labor, and every member of the New Jersey Congressional
22 delegation.

23
24
25 STATEMENT

26
27 This resolution urges the United States Congress to pass the
28 "Paycheck Fairness Act" in order to combat the persistent income
29 gap that is attributable to systemic gender discrimination, provide
30 women with more tools to achieve pay equity in the workplace, and
31 assist the two-thirds of American families who rely on a woman's
32 wages as a significant portion of their income achieve economic
33 security.